IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 6801 of 2005

Between:

1 Janapalli Narayana, S/o. Pedda Babaiah,
R/o. H.No. 13-6-269/3, Jaffarguda, Hyderabad.
2 Janapalli Sairam, S/o. Late Janapalli Eswaraiah,
R/o. H.No. 13-6-269/3, Jaffarguda, Hyderabad.

... PETITIONERS

AND

1 The Revenue Divisional Officer, Hyderabad District, Hyderabad.
2 The Mandal Revenue Officer, Asifnagar Mandal, Hyderabad

District.
3 Janapalli Pedda Kistaiah, S/o. Pochaiah (died)
4 Janapalli Ramachander, S/o. Pedda Kistaiah, Hindu,
R/o. H.No. 12-1-922/36, Asifnagar, Asifnagar Mandal,

Hyderabad.
5 Janapalli Pochaiah, S/o. Pedda Kistaiah, Hindu,
R/o. H.No. 13-6-540/2, Asifnagar, Asifnagar Mandal, Hyderabad.
6 Janapalli Narasimha, S/o. Pedda Kistaiah, Hindu,
R/o. H.No. 13-6-540/2, Kulsumpura, Hyderabad.
7 Janapalli China Kistaiah, died per L.R.S. S/o. Pochaiah
8 Janapalli Pandu, S/o. Late J. Chinna Kistaiah, Hindu,
R/o. H.No. 17-2-579/26/B Kulsumpura, Hyderabad.
9 Janapalli Dayanand, died per L.R.S. S/o. J. Chinna Kistaiah
10 Janapalli Bharathi Bai, W/o. Late J. Dayanand, Hindu,
Employment Exchange Chikkadpalli, R/o. H.No. 13-6-262,

Jaffarguda, Asifnagar Mandal, Hyderabad.
11 Janapalli Vibhishan, S/o. J. Chinnakistaiah, Hindu,
R/o. H.No. 13-6-259, Jaffarguda, Asifnagar Mandal, Hyderabad.

12 Janapalli Laxmamma, W/o. Late J. Chinna Kistaiah (died)
13 Janapalli Samaiah alias Swamy, S/o. Pochaiah, died per L.R.S.
14 Janapalli Achamma, W/o. Late J. Samaiah, Hindu, Major,
OH No as noted in item No. 9
15 Janapalli Gyaneswar Rao, S/o. Late J. Swamy, Hindu,
R/o. as noted in item No. 9 3 to 15 are the Agricultural tenants in

the lands of paatada Smt. Qutubunnissa Begum and her heirs
16 Smt. Qutobunnissa Begum, W/o. Syed Mohi Uddi Quadri,
R/o. United States of America
17 Syed Ghouse Quadri, S/o Syed Mohi Uddi Quadri,
R/o. United states of America
18 Syed Hakim Abdul Rahim Quadri, S/o. Syed Mohi Uddin Quadri,
Retired Employee Ananthapur
19 Smt. Hafizunnissa Begum, D/o. Qutubunnissa Bebum
R/o. 20-3-273, Ussain Alam, Hyderabad.
20 Smt. Teharunnisa Begum, D/o. Qutubunnissa Bebum,
died per LRS W/o Moosa Quadri
21 Syed Moosa Quadri, R/o. Late Teharunnisa Begum,
R/o. H.No. 10-5-39/2, Masab Tank, Hyderabad.
22 Syed Farooq Quadri, S/o. Teharunnisa Begum,
address as noted in item No. 19
23 Syed Qualid Quadri, S/o. Late Reharunnisa Begum,
address as noted in item No. 19
24 Syed Sadq Quadri, S/o. Late Teharunnisa Begum,
address as noted in item No. 19
25 Syed Farooq Quadri, S/o. Late Teharunnisa Begum,
address as noted in item No. 19
26 Syed Akhil Quadri, S/o. Late Teharunnisa Begum,
address as noted in item No. 19
27 Smt. Akhil Quadri, S/o. Late Teharunnisa Begum,
address as noted in item No. 19
28 Smt. Shainath, W/o. Mohd. Nazeer,
address as noted in item No. 19
29 Shahana, S/o. Late Teharunnisa Begum,
address as noted in item No. 19
30 Smt. Bhasheerunissa Begum, D/o. Qutubunnissa Begum,
address as noted in item No. 32
31 Smt. Nazeemunnissa Begum, D/o. Qutubunnissa Begum,
address as noted in item No. 32
32 Smt. Mahabeebunnissa Begum, D/o. Qutubunnissa Begum,
address as noted in item No. 32
33 Smt. Ahmedunnissa Begum, D/o. Qutubunnissa Begum,
address as noted in item No. 32
34 Syed Ali Uddin Quadri, S/o. Qutubunnissa Begum,
R/o. Quadri, Hyderabad.

Respondent Nos.3, 7, 9, 12, 13 & 16 not necessary

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Appropriate Writ, order or direction more particularly one in the nature of Writ

of Mandamus declaring the action of 1st respondent in conducting enquiry in RP/B/2584/01 with regard to the genuineness of the Tenancy records prepared in favour of Janapally Babaiah @ Babiga in respect of Sy. Nos. 216, 217 and 221 measuring 35 guntas, 21 guntas and 14 guntas respectively, situated at Gudimalkapur Village, Golkonda Mandal, Hyderabad District and about the settlement among brothers, dated 04-2-1962 during the pendency of CCCA nos. 86 of 1993 and 87 of 1993 on the file of this Hon'ble Court as bad, arbitrary, illegal and in violative of principles of natural justice apart from the violation of fundamental right guaranteed under Articles 14 and 21 of the constitution of India and Award costs.

Counsel for the Petitioners: MR.C.RAMESH SAGAR

Counsel for the Respondents 1 & 2: GP FOR REVENUE

The Court at the stage of admission made the following:

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ORDER:

Admittedly, revision petition is pending before the first respondent-Revenue Divisional Officer, Hyderabad Division and the petitioner has filed his counter raising various contentions such as the revision is barred by the limitation and that the revision itself is not maintainable.

The petitioners state that the first respondent-Revenue Divisional Officer, is likely to pass an order without taking into consideration the said objections raised by the petitioners and therefore requires this Court to go into the merits of the case and to declare that the proceedings initiated before the first respondent are arbitrary and illegal. I am unable to agree with the said contention, since; it is nothing but an apprehension of the petitioners. As on today, there is no order passed by the first respondent.

In the circumstances, I deem it appropriate to dispose of the writ petition making it

clear that the first respondent-Revenue Divisional Officer shall take into consideration all the grounds urged in the counter affidavits filed by the petitioners, before passing any order in the revision petition, pending on his file in R.P.No.B/2584/2001.

The Writ Petition is accordingly, disposed of. No order as to costs.

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G. ROHINI, J

Dated: 31-03-2005

LSK

Copy to. –

1 The Revenue Divisional Officer, Hyderabad District, Hyderabad.
2 The Mandal Revenue Officer, Asifnagar Mandal, Hyderabad

District.
3 Two C.C. s to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT)

4 Two C.D. Copies.